

Applicants : Larry (NMI) DeKraker et al.
Appln. No. : 10/740,015
Page : 9

REMARKS

Reconsideration of the application as amended is requested.

Applicants have enclosed an Information Disclosure Statement, and request that the Examiner consider the listed documents and indicate that they have been considered by initialing and dating the form.

Applicants note with appreciation the Examiner's indication that claims 11-17 contain allowable subject matter, and that claims 18-25 are allowed. Claims 11, 14, 16 and 17 have been written in independent form, including all of the limitations of original claim 8 and any intervening claims, such that claims 11-17 are now believed to be in condition for allowance.

In the Office Action dated April 25, 2005, claims 8-10 were rejected under 35 U.S.C. §102(b) as being anticipated by Prouty U.S. Patent No. 245,013. Applicants respectfully submit that the pending claims, as amended herein, patentably distinguish over all of the cited references.

Claim 8 has been amended to recite that the first and second members have a plurality of teeth adjacent and coextensive with a curvilinear load bearing surface. The load bearing surfaces are in contact and transfer loads while the teeth of the first and second members are in engagement.

Prouty '013 discloses a projection M that is spaced apart from the gear teeth, and contacts a roller L when the teeth of toothed segment H and I are disengaged. The toothed segments H and I of Prouty '013 provide for rolling engagement when roller L contacts projection M, during which time the gears are disengaged. As the toothed segments H and I rotate with the teeth meshing with one another the roller L will be disengaged from projection M. Thus, Prouty '013 does not disclose first and second members having a plurality of teeth adjacent and coextensive with a curvilinear load bearing surface, wherein the curvilinear load bearing surfaces are in contact and transfer loads while the teeth are in engagement as recited in amended claim 8.

Applicants further submit that there would be no reason to modify Prouty '013 to include a plurality of teeth that are adjacent and coextensive with load bearing surfaces. The cam surface of Prouty '013 is shaped so that the segment I will be gradually brought to a

Applicants : Larry (NMI) DeKraker et al.
Appln. No. : 10/740,015
Page : 10

standstill and remain so during continued movement of segment H (lines 71-75). Accordingly, extensive modification of Prouty '013 would be required to provide the arrangement of amended claim 8, and the reference itself does not teach or suggest such modification.

New claim 26 depends from claim 8, and recites that the load bearing surfaces form arcs that are generally parallel to the arcs of the teeth. Support for new claim 26 can be found, for example, at paragraph [0056] of the present application, and in Figs. 9-9c. The cited references are not believed to disclose or suggest the arrangement or new claim 26.

Applicants have made a concerted effort to place the present application in condition for allowance, and a notice to this effect is earnestly solicited. In the event there are any remaining informalities, the courtesy of a telephone call to the undersigned attorney would be appreciated.

Respectfully submitted,

7/25/05
Date


Jeffrey S. Kapteyn
Registration No. 41 883
Price, Heneveld, Cooper, DeWitt & Litton, LLP
695 Kenmoor, S.E.
Post Office Box 2567
Grand Rapids, Michigan 49501
(616) 949-9610

JSK/cmu